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GENERAL ORDERS, }
No. 129. }

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, May 15, 1863.

I.—Before a Military Commission, which convened at Norfolk, Virginia, March 9, 1863, pursuant to Special Orders, No. 63, dated Headquarters Department of Virginia, 7th Army Corps, Fort Monroe, Virginia, March 5, 1863, and of which Lieutenant Colonel Z. P. BOYER, 173d Pennsylvania Militia, is President, was arraigned and tried—

Alexander Spence, of the city and county of Norfolk, citizen.

CHARGE I.—“Setting fire to a store in the night time with intent to burn, and wilfully burning said store.”

Specification—“In this; that *Alexander Spence*, of the city and county of Norfolk, and Commonwealth of Virginia, citizen, at said city of Norfolk, in the night time, on or about the 12th day of February, 1863, did unlawfully set on fire the store occupied by one Joshua H. King, with intent to burn the said store, and did wilfully burn said store, and several other buildings, thereto adjoining.”

CHARGE II.—“Breaking and entering a store in the night time with intent to steal, and stealing therein.”

Specification.—“In this; that *Alexander Spence*, of the city and county of Norfolk, and Commonwealth of Virginia, citizen, at said city of Norfolk, in the night time, on or about the 12th day of February, 1863, did feloniously break and enter the store occupied by one Joshua H. King, with intent to steal, and did then and there steal, take, and carry away the goods and property of said King, of the value of more than one thousand dollars.”

CHARGE III.—“Stealing the goods of Joshua H. King.”

Specification.—“In this; that *Alexander Spence*, of the city and county of Norfolk, and Commonwealth of Virginia, citizen, in said city, on or about the 12th day of February, 1863, did wilfully and

feloniously steal, take, and carry away the goods of one Joshua H. King, of the value of more than a thousand dollars."

CHARGE IV.—"Receiving stolen goods, knowing them to be stolen."

Specification.—"In this; that *Alexander Spence*, of the city and county of Norfolk, and Commonwealth of Virginia, citizen, at said city, on or about the 12th day of February, 1863, did receive a large amount of stolen goods, knowing them to be stolen."

CHARGE V.—"Arson."

Specification.—"In this; that *Alexander Spence*, of the city and county of Norfolk, and Commonwealth of Virginia, citizen, at said city, on the night of the 12th day of February, 1863, did wilfully and feloniously set on fire and burn a block of buildings at the corner of East Main street and Market street, in said city, which block of buildings, so set on fire and burned, consisted partly of shops and stores, and partly of dwelling-houses."

To which charges and specifications the accused, *Alexander Spence*, of the city and county of Norfolk, citizen, pleaded "Not Guilty."

FINDING.

The Commission, having maturely considered the evidence adduced, finds the accused, *Alexander Spence*, of the city and county of Norfolk, citizen, as follows :

CHARGE I.

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE IV.

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

CHARGE V.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Commission does therefore unanimously sentence him, *Alexander Spence*, of the city and county of Norfolk, citizen, "*To be hung by the neck until he be dead.*"

II.—In compliance with the fifth section of the act approved July 17, 1862, the proceedings in the foregoing case have been submitted to the President of the United States, and the sentence awarded *Alexander Spence*, citizen, of the city and county of Norfolk, is by him approved, and will be executed under the orders of Major General Dix, commanding the Department of Virginia.

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,

Assistant Adjutant General.